

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	
	)	Chapter 11
	)	
FIRST GUARANTY MORTGAGE CORPORATION, <i>et al.</i> , <sup>1</sup>	)	Case No. 22-10584 (CTG)
	)	
Debtors.	)	(Jointly Administered)
	)	

**NOTICE OF SECOND AMENDED<sup>2</sup> AGENDA OF MATTERS SCHEDULED FOR  
HEARING ON OCTOBER 31, 2022  
BEFORE THE HONORABLE CRAIG T. GOLDBLATT**

**PLEASE NOTE THAT THE TIME OF THE HEARING HAS  
BEEN CHANGED TO 2:00 P.M.**

**The hearing will be held in-person in Judge Goldblatt's courtroom. All parties, including witnesses, are expected to attend in person unless permitted to appear via Zoom. Appearances at in-person court proceedings using Zoom are allowed only in the following circumstances: (i) a party who files a responsive pleading intends to make only a limited argument; (ii) a party who has not submitted a pleading but is interested in observing the hearing; (iii) a party who has a good faith health-related reason and has obtained permission from Judge Goldblatt's chambers to appear remotely, or (iv) other extenuating circumstances as determined by Judge Goldblatt. If you intend to appear via Zoom, you are required to register in advance. The Court is asking all parties appearing via Zoom to register no later than October 28, 2022 at 4:00 p.m.**

**COURTCALL WILL NOT BE USED FOR THIS HEARING.  
Please use the following link to register for this hearing**

<https://debuscourts.zoomgov.com/meeting/register/vJIsd-mvqjgqHq-JRLouoBHhU81Bo2QMuNM>

**After registering your appearance by Zoom, you will receive a confirmation email containing information about joining the hearing.**

<sup>1</sup> The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor's federal tax identification number, are: First Guaranty Mortgage Corporation (9575); and Maverick II Holdings, LLC (5621). The Debtors' mailing address is 5800 Tennyson Parkway, Suite 450, Plano, TX 75024.

<sup>2</sup> Amended items are indicated in bold.

**ADJOURNED MATTERS:**

1. Motion of the Debtors for Entry of Orders: (I)(A) Approving Bidding Procedures for One or More Sales or the Sale of Substantially All of the Debtors' Assets, (B) Authorizing the Debtors to Enter Into One or More Stalking Horse Agreements and to Provide Bid Protections Thereunder, (C) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (D) Approving Assumption and Assignment Procedures and (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof; (II) (A) Approving the Sale or Sales of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases; and (III) Granting Related Relief (Filed September 7, 2022) [Docket No. [406](#)].

**Response Deadline:** September 26, 2022 at 4:00 p.m. (Prevailing Eastern Time).

**Sale Responses Received:**

- A. Objection and Reservation of Rights of the Federal National Mortgage Association Related to Debtors' Motion for Entry of order (A) Approving the Sale or Sales of the Debtors' Assets Free and Clear of Liens, Claims, Interests, and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases (Filed: October 20, 2022) [Docket No. [577](#)].
  - (i) Declaration in Support of Objection and Reservation of Rights of the Federal National Mortgage Association Related to Debtors' Motion for Entry of Order (A) Approving the Sale or Sales of the Debtors' Assets Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases (Filed: October 20, 2022) [Docket No. [579](#)].
- B. Limited Objection of the North River Insurance Company to the Sale of the Debtors' Assets (Filed: October 20, 2022) [Docket No. [581](#)].
- C. Limited Objection and Reservation of Rights of The Federal Home Loan Mortgage Corporation to Debtors Motion for Entry of Orders: (I)(A) Approving Bidding Procedures For One or More Sales or the Sale of Substantially All of The Debtors Assets, (B) Authorizing The Debtors to Enter Into One or More Stalking Horse Agreements and to Provide Bid Protections Thereunder, (C) Scheduling of an Auction and Approving the Form and Manner of Notice Thereof, (D) Approving Assumption and Assignment Procedures and (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof; (II)(A) Approving the Sale or Sales of the Debtors Assets Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases; and (III) Granting Related Relief (Filed: October 20, 2022) [Docket No. [582](#)].

- D. Limited Objection to Debtors' Motion for Entry of Order Approving the Sale of the Debtors' Assets Free and Clear of Liens, Claims, Interests, and Encumbrances (Filed: October 20, 2022) [Docket No. [583](#)].
- E. Objection and Reservation of Rights of Sourcepoint, Inc. to Debtors' Notice of Cure Costs and Potential Assumption of Executory Contracts and Unexpired Leases in Connection with Sale of Substantially All Assets (Filed: October 17, 2022) [Docket No. [552](#)].
- F. Objection of NContracts, LLC to Debtors' Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale of Substantially all Assets (Filed: October 18, 2022) [Docket No. [563](#)].
- G. Objection by TIAA, FSB to Debtor's Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale of Substantially All Assets (Filed October 18, 2022) [Docket No. [565](#)].
- H. Objection of Massachusetts Mutual Life Insurance Company to Proposed Cure Amounts and Potential Assumption of Executory Contracts and Unexpired Leases in Connection with Sale of Substantially All Assets and to Any Sale Transaction (Filed: October 16, 2022) [Docket No. [567](#)].
- I. Limited Objection and Reservation of Rights of The Federal Home Loan Mortgage Corporation to The Debtors' Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale of Substantially all Assets (Filed: October 18, 2022) [Docket No. [568](#)].
- J. Reservation of Rights of Deutsche Bank National Trust Company to the Debtors' Proposed Cure for the Potential Assumption and Assignment of Executory Contracts (Filed: October 28, 2022) [Docket No. [624](#)].

#### **Related Documents**

- A. Order: (A) Approving Bidding Procedures for One or More Sales or the Sale of Substantially All of the Debtors' Assets, (B) Authorizing the Debtors to Enter Into One or More Stalking Horse Agreements and to Provide Bid Protections Thereunder, (C) Scheduling an Auction and Approving the Form and Manner of Notice Thereof, (D) Approving Assumption and Assignment Procedures and (E) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof, and (F) Granting Related Relief (Signed: September 29, 2022) [Docket No. [499](#)].
- B. Notice of Sale, Bidding Procedures, Auction, Sale Hearing and Other Deadlines Related Thereto (Filed: September 30, 2022) [Docket No. [500](#)].

- C. Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Sale of Substantially all Assets (Filed October 4, 2022) [Docket No. [512](#)].
- D. Notice of Successful Bidder and Cancellation of Auction (Filed October 24, 2022) [Docket No. [598](#)].

Status: This matter is adjourned to a date to be determined.

**MATTERS UNDER CERTIFICATION OF COUNSEL/CERTIFICATE OF NO OBJECTION:**

- 3. Motion for Entry of an Order Extending Deadline Within Which Debtors May Remove Actions (Filed: September 26, 2022) [Docket No. [476](#)].

**Response Deadline:** October 17, 2022 at 4:00 p.m. (Prevailing Eastern Time).

**Responses Received:**

- A. None.

**Related Documents**

- A. Notice of Hearing (Filed: October 3, 2022) [Docket No. [504](#)].
- B. Certificate of No Objection (Filed: October 26, 2022) [Docket No. [599](#)]
- C. Order Extending Deadline Within Which Debtors May Remove Actions (Signed: October 26, 2022) [Docket No. [602](#)].

Status: An Order has been entered.

**CONFIRMATION:**

- 4. Amended Combined Disclosure Statement and Chapter 11 Plan of First Guaranty Mortgage Corporation and Debtor Affiliate (Filed: October 6, 2022) [Docket No. [518](#)].

**Response Deadline:** October 26, 2022 at 4:00 p.m. (Prevailing Eastern Time)  
(Extended to October 28, 2022 at 12:00 p.m. as to the U.S. Department of Justice; extended to October 27, 2022 at 4:00 p.m. as to Lynx Whole Loan Acquisition LLC).

**Responses Received:**

- A. Limited Objection of Kari Crutcher to Confirmation of the Combined Disclosure Statement and Chapter 11 Plan of Reorganization of First Guaranty Mortgage Corporation and its Debtor Affiliate (Filed: October 26, 2022) [Docket No. [600](#)].

- B. Limited Objection and Reservation of Rights of the Federal National Mortgage Association to Debtors' Amended Combined Disclosure Statement and Plan for First Guaranty Mortgage Corporation and Debtor Affiliate (Filed: October 26, 2022) [Docket No. [601](#)].
- C. Customers Bank's Limited Objection and Reservation of Rights with Respect to Confirmation of Amended Combined Disclosure Statement and Chapter 11 Plan of First Guaranty Mortgage Corporation and Debtor Affiliate (Filed: October 26, 2022) [Docket No. [603](#)].
- D. Limited Objection and Reservation of Rights of Lori Buckley, Gayle Zech, Roberta Martinez, Jennifer Jackson And James Davies on Behalf of Themselves and Others Similarly Situated, to Confirmation of Debtors' Amended Combined Disclosure Statement and Chapter 11 Plan and Notice of Election by the WARN Claimants to Opt-Out of Third Party Releases Contained in the Plan (Filed: October 26, 2022) [Docket No. [604](#)].
- E. Objection of the United States Trustee to Confirmation of Debtors' Combined Chapter 11 Plan and Disclosure Statement (Filed: October 26, 2022) [Docket No. [605](#)].
- F. Flagstar Bank, FSB's Joinder to the Limited Objection of Customers Bank with Respect to Confirmation of Amended Combined Disclosure Statement and Chapter 11 Plan of First Guaranty Mortgage Corporation and Debtor Affiliate (Filed: October 26, 2022) [Docket No. [606](#)].
- G. Limited Objection and Reservation of Rights of Lynx Whole Loan Acquisition LLC to Amended Combined Disclosure Statement and Chapter 11 Plan (Filed: October 27, 2022) [Docket No. [615](#)].

#### **Related Documents**

- A. Order (I) Granting Interim Approval of the of Disclosures; (II) Scheduling a Combined Hearing to Consider Final Approval of the Disclosures and Confirmation of the Combined Plan, and Setting Deadlines Related Thereto; (III) Approving Solicitation Packages and Procedures; (IV) Approving the Forms of Ballots; and (V) Granting Related Relief (Signed: October 7, 2022) [Docket No. [524](#)] ("Solicitation Procedures Order").
- B. Notice of (I) Interim Approval of Disclosures; (II) Hearing to Consider Confirmation of the Combined Plan; (III) Deadline for Filing Objections to Confirmation of the Combined Plan; (IV) Deadline for Voting on the Combined Plan; and (V) Bar Date for Filing Administrative Claims Established by the Combined Plan (Filed: October 7, 2022) [Docket No. [526](#)].
- C. Notice of Filing of Plan Supplement (Filed: October 14, 2022) [Docket No. [551](#)].

- D. Notice of Filing of Amended Exhibit to Plan Supplement (Filed: October 26, 2022) [Docket No. [609](#)].
- E. Declaration of Andres A. Estrada with Respect to the Tabulation of Votes on the Amended Combined Disclosure Statement and Chapter 11 Plan of First Guaranty Mortgage Corporation and Debtor Affiliate (Filed: October 28, 2022) [Docket No. [625](#)].
- F. Declaration of Aaron Samples (Filed: October 28, 2022) [Docket No. [626](#)].
- G. Memorandum of Law in Support of Confirmation of Amended Combined Disclosure Statement and Chapter 11 Plan of First Guaranty Mortgage Corporation and Debtor Affiliate (Filed: October 28, 2022) [Docket No. [628](#)].
- H. Debtors' Motion for Entry of an Order Authorizing the Debtors to Exceed the Page Limit Requirement for the Debtors' Memorandum of Law in Support of Amended Combined Disclosure Statement and Chapter 11 Plan of First Guaranty Mortgage Corporation and Debtor Affiliate (Filed October 28, 2022) [Docket No. [629](#)].
- I. Declaration of Tanya Meerovich in Support of Confirmation of Amended Combined Disclosure Statement and Chapter 11 Plan of First Guaranty Mortgage Corporation and Debtor Affiliate (Filed October 28, 2022) [Docket No. [631](#)].**
- J. Notice of Filing of Proposed Confirmation Order (Filed October 30, 2022) [Docket No. [638](#)]**
- K. Notice of Filing of Revised Exhibit D to Voting Declaration (Filed October 30, 2022) [Docket No. [637](#)].**
- L. Amended Declaration of Aaron Samples (Filed October 30, 2022) [Docket No. [639](#)]**
- M. Notice of Filing of Further Revised Exhibit D to Voting Declaration (Filed October 30, 2022) [Docket No. [640](#)].**
- N. Notice of Filing of Final Voting Declaration (Filed October 30, 2022) [Docket No. [641](#)].**
- O. Notice of Filing of Amended Exhibit 3 to Plan Supplement (Filed October 30, 2022) [Docket No. [642](#)].**

Status: This matter is going forward. The Debtors will rely upon the declarations of Tanya Meerovich, the Debtors' Chief Restructuring Officer and Aaron Samples, the Debtors' Chief Executive Officer. Ms. Meerovich and Mr. Samples will be available should the Court have any questions.

**OTHER MATTERS GOING FORWARD:**

5. Motion of TIAA, FSB to Compel the Debtor to Assume or Reject Executory Contracts (Filed: September 30, 2022) [Docket No. [503](#)].

**Response Deadline:** October 19, 2022 at 4:00 p.m. (Prevailing Eastern Time).

**Responses Received:**

- A. Debtors' Objection to Motion of TIAA, FSB to Compel the Debtor to Assume or Reject Executory Contracts (Filed: October 19, 2022) [Docket No. [573](#)].

**Related Documents**

- A. None.

**Status:** This matter has been resolved.

6. Kari Crutcher's Motion for Relief from the Automatic Stay to (I) File Motion to Transfer Venue in Trial Court; (II) Serve Complaint on All Defendants; and (III) Proceed with the Litigation in This District (Filed: October 4, 2022) [Docket No. [509](#)].

**Response Deadline:** October 24, 2022 at 4:00 p.m. (Prevailing Eastern Time).

**Responses Received:**

- A. Debtors' Opposition to Kari Crutcher's Motion for Relief from the Automatic Stay to (I) File a Motion to Transfer Venue in Trial Court; (II) Serve Complaint on All Defendants; and (III) Proceed with the Litigation in This District (Filed: October 24, 2022) [Docket No. [594](#)].
- B. Joinder of the Official Committee of Unsecured Creditors to Debtors' Opposition to Kari Crutcher's Motion for Relief from the Automatic Stay (Filed: October 27, 2022) [Docket No. [616](#)].

**Related Documents**

- A. Memorandum of Law in Support of Confirmation of Amended Combined Disclosure Statement and Chapter 11 Plan of First Guaranty Mortgage Corporation and Debtor Affiliate (Filed: October 28, 2022) [Docket No. [628](#)].

**Status:** This matter is going forward.

7. Debtors' Objection to Proof of Claim No. 124 Solely for Voting Purposes (Filed October 17, 2022) [Docket No. [561](#)].

**Response Deadline:** October 24, 2022 at 4:00 p.m. (Prevailing Eastern Time).

**Responses Received:**



- A. Joinder of the Official Committee of Unsecured Creditors to Debtors' Objection to Proof of Claim No. 124 Solely for Voting Purposes (Filed October 21, 2022) [Docket No. [585](#)].
- B. Response in Opposition to Debtors' Objection to Proof of Claim No. 124 Solely for Voting Purposes and Joinder of the Creditors' Committee Therein (Filed: October 24, 2022) [Docket No. [596](#)].

**Related Documents**

- A. Memorandum of Law in Support of Confirmation of Amended Combined Disclosure Statement and Chapter 11 Plan of First Guaranty Mortgage Corporation and Debtor Affiliate (Filed: October 28, 2022) [Docket No. [628](#)].

**Status:** This matter is going forward.

- 8. Motion of Optimal Blue, LLC for Relief from Stay under Section 362 of the Bankruptcy Code (Filed: October 21, 2022) [Docket No. [586](#)].

**Response Deadline:** October 31, 2022 at 10:00 a.m. (Prevailing Eastern Time).

**Responses Received:**

- A. None.

**Related Documents**

- A. Declaration of Drew Donosky in Support of the Motion of Optimal Blue, LLC for Relief from Stay under Section 362 of the Bankruptcy Code (Filed: October 21, 2022) [Docket No. [588](#)].
- B. Declaration of Michael T. Delaney in Support of the Motion of Optimal Blue, LLC for Relief from Stay Under Section 362 of the Bankruptcy Code (Filed: October 21, 2022) [Docket No. [589](#)].
- C. Motion to Shorten Notice with Respect to Optimal Blue, LLC's Motion for Relief from Stay under Section 362 of the Bankruptcy Code (Filed: October 21, 2022) [Docket No. [591](#)].
- D. Notice of Hearing (Filed: October 21, 2022) [Docket No. [592](#)].
- E. Order Shortening the Notice and Objection Period with Respect to Motion of Optimal Blue, LLC's to for Relief from Stay under Section 362 of the Bankruptcy Code (Signed: October 24, 2022) [Docket No. [593](#)].

**Status:** This matter is going forward



9. Debtors' Motion for Entry of Order Approving Stipulation Between Debtors and MassMutual Relating to the Servicing of MassMutual's Loans (Filed: October 27, 2022) [Docket No. [617](#)].

Response Deadline: At the Hearing.

Responses Received:

A. None.

Related Documents:

- A. Debtors' Motion to Shorten Notice Period With Respect to Debtors' Motion for Entry of Order Approving Stipulation Between Debtors and MassMutual Relating to the Servicing of MassMutual's Loans (Filed: October 27, 2022) [Docket No. [618](#)].
- B. Order Granting Motion to Shorten Notice Period With Respect to Debtors' Motion for Entry of Order Approving Stipulation Between Debtors and MassMutual Relating to the Servicing of MassMutual's Loans (Signed: October 28, 2022) [Docket No. [619](#)].
- C. Notice of Hearing (Filed: October 28, 2022) [Docket No. [620](#)].

Status: This matter is going forward.

Dated: October 31, 2022

**PACHULSKI STANG ZIEHL & JONES LLP**

/s/ Mary F. Caloway

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